

REDEVELOPMENT AGENCY AGENDA STATEMENT

ITEM TITLE:	RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA AMENDING THE REDEVELOPMENT AGENCY BYLAWS TO CHANGE ITS REGULAR MEETING DATE AND TIME AND MAKE TECHNICAL, NON-SUBSTANTIVE CHANGES
SUBMITTED BY:	ACTING COMMUNITY DEVELOPMENT DIRECTOR AND REDEVELOPMENT MANAGER <i>ABH</i> <i>for EC</i>
REVIEWED BY:	EXECUTIVE DIRECTOR <i>JH</i>

4/5THS VOTE: YES

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NO

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BACKGROUND

The Redevelopment Agency last amended its bylaws in 1993 to change the day and time of its regular meetings to correspond with the City Council's regular meetings. The purpose of that change was to increase efficiency and streamline the decision-making process for the two bodies. With the recent formation of the Chula Vista Redevelopment Corporation ("CVRC"), staff has observed, during the last five months of CVRC meetings, similar opportunities for increased efficiency and effectiveness in the redevelopment process between the CVRC and Redevelopment Agency. Many actions of the CVRC involve advisory recommendations to the Redevelopment Agency on non-delegable matters that require final action by the Agency Board. Rather than require two separate actions of the CVRC and Agency on two separate meeting nights, staff is proposing amendments to the Agency's bylaws that would allow them to consistently meet on the same night and take all necessary actions on certain matters at the same meeting.

Regular CVRC meetings are held on the second and fourth Thursdays of each month. Staff is recommending that the Agency amend Section 3.01 of Article III of the Agency's bylaws to change the regular meeting days and times of the Agency Board of Directors to the second and fourth Thursdays of each month at 6:00 PM, effective immediately, to meet jointly with or immediately after the CVRC.

The proposed amendments also include technical, non-substantive changes to the document.

A redlined version of the Redevelopment Agency bylaws is attached for review (see Attachment A).

RECOMMENDATION

Staff recommends that the Redevelopment Agency adopt a resolution amending and updating the Redevelopment Agency bylaws to: (a) change the regular meeting day and time of the Agency to the second and fourth Thursdays of each month at 6:00 PM, effective immediately, to meet jointly or back-to-back with the Chula Vista Redevelopment Corporation; and (b) make additional technical, non-substantive amendments as outlined in the redline document (Attachment A).

BOARDS/COMMISSIONS RECOMMENDATION

Not applicable.

DISCUSSION

HISTORY

When the Redevelopment Agency was first formed, it met on the first and third Thursdays of each month, separate from City Council meetings. In November 1991, the first of the Agency's two monthly meetings was changed to coincide with the Council meeting (Resolution No. 1211). Two years later, the second meeting of the month was also changed to a joint meeting of the Council and Agency (Resolution No. 1296). Both of these changes were accomplished through amendments to the Agency bylaws.

PROPOSAL

By holding joint or back-to-back meetings of the Redevelopment Agency and City Council on the same night, the two entities created increased efficiencies that saved time and money, created consistency in decision-making, and helped streamline processes and procedures. With the creation of the CVRC, the same benefits and improvements could be realized in the redevelopment process by scheduling regular meetings of the CVRC and Redevelopment Agency on the same evenings, given that the Agency/Council members sit on both Boards. Staff is recommending amendments to the Redevelopment Agency's bylaws to change the regular meeting day/time of the Agency to the second and the fourth Thursdays of the month, on the same night as the newly formed Chula Vista Redevelopment Corporation. Joint meetings will improve the project review and decision-making process in terms of:

- **Timeliness** – The CVRC reviews all projects within the redevelopment areas and makes recommendations to the Redevelopment Agency. Having the two agencies meet on the same night provides streamlining on certain decisions, such as bond

refinances, contractual agreements, and development approvals, which may be time-sensitive.

- **Clarity** – Joint meetings of the Agency and CVRC eliminate the need for multiple presentations and discussions on the same topics for the Agency/Council members, avoiding unnecessary and often costly delays and redundancies.
- **Public Process** – Public hearings for redevelopment projects will take place on one night, rather than two, reducing confusion and increasing the effectiveness of the public participation process. The second and fourth Thursdays of each month will provide a dedicated forum for redevelopment.

The attached redline version of the proposed Agency bylaws update (Attachment A) includes: (a) an amendment to Sections 3.01 and 3.03 of Article III of the bylaws, changing the Agency's regular meeting day/time to the second and fourth Thursday of each month at 6:00 PM, to meet jointly with or immediately after the CVRC; and (b) various technical, non-substantive changes to provide consistency and clarity throughout the bylaws.

Additional amendments to the Agency bylaws, such as Section 4.04, may be necessary and/or appropriate in the future, once an Executive Director is appointed by the Redevelopment Agency.

DECISION MAKER CONFLICTS

Staff has reviewed the proposed action and has determined that it does not present any potential conflicts of interest for the Agency members.

FISCAL IMPACT

The proposed bylaw amendments will provide increased efficiencies and certainty in the redevelopment process that will positively impact the Agency's ability to attract private investment to project areas and generate tax revenues. The proposed amendments will also provide increased efficiencies and cost savings, in terms of staffing and resources.

ATTACHMENTS

Attachment A – Redlined Bylaws

Prepared by: Janice Kluth, Senior Community Development Specialist, Community Development Department

J:\COMMDEV\CVRC\CVRC Meetings\Staff Reports\2006\08-24-06\Agency Bylaw Amendment\Agency Staff Report 080206-kl.doc

**REDEVELOPMENT AGENCY
OF THE CITY OF CHULA VISTA
BYLAWS, RULES AND REGULATIONS
(Revised August 24, 2006)**

RELATED ORDINANCES AND RESOLUTIONS

City Council Ordinance No. 1425, dated October 24, 1972
Redevelopment Agency Resolution 1, dated January 22, 1974
Redevelopment Agency Resolution 716, dated August 19, 1986
Redevelopment Agency Resolution 722, dated September 4, 1986
Redevelopment Agency Resolution 1211, dated November 7, 1991
Redevelopment Agency Resolution 1296, dated January 5, 1993
Redevelopment Agency Resolution 2006- , dated September 14, 2006

BYLAWS, RULES AND REGULATIONS FOR THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA

ARTICLE I – THE AGENCY

- | | |
|-------------|---|
| 1.01 | <u>Name of Agency</u>
The name of the Agency shall be the "Redevelopment Agency of the City of Chula Vista, California" in accordance with the City Council Ordinance No. 1425, dated October 24, 1972. |
| 1.02 | <u>Offices of the Agency</u>
The offices of the Agency shall be within the Civic Center of the City and at such other additional locations as may from time-to-time be determined by the Agency |
| 1.03 | <u>Agency Seal</u>
The Seal of the Agency, which shall be used on all instruments requiring Agency seal, shall be kept in the custody of the Agency Secretary and shall be in the following form: |

ARTICLE II – OFFICERS

- | | |
|-------------|---|
| 2.01 | <u>Offices</u>
The Agency shall have the following officers: <ul style="list-style-type: none">a. Chairmanb. Chairman Pro Temporec. Membersd. Executive Directore. Secretaryf. Treasurer |
|-------------|---|

2.02

Chairman

The Chairman shall be the Mayor of the City who shall preside at all meetings of the Agency and execute all instruments of the Agency. The term of office for the Chairman shall correspond with the period of time that the Mayor is in the service of the citizens of the City of Chula Vista.

2.03

Chairman Pro Tempore

The Council person designated by the Council as Mayor Pro Tempore shall be the Chairman Pro Tempore and shall perform the duties of the Chairman during his absence or disability.

2.04

Members

The Agency Members (governing board) shall be the members of the City Council.

2.05

Executive Director

The Executive Director shall be appointed by a majority of the Members of the Agency. The Executive Director shall be responsible for the day-to-day administration of the Agency and shall provide the Agency Members with such reports and information as they may request or as the Executive Director may deem necessary for the Agency Members to effectively govern the business affairs and policies of the Agency. The Executive Director shall serve at the will of the majority of the Members of the Agency. Executive Director may be removed by a majority vote of the Members of the Agency. The Executive Director of the Agency shall be an employee of the Agency whose salary and benefits shall be set by resolution approved by a majority of the members of the Agency.

2.06

Secretary

The City Clerk of the City of Chula Vista, or such other person as designated by the Agency, shall serve as the Secretary of the Agency. The Secretary shall be responsible for the records of the Agency and shall act as Secretary of the meetings of the Agency and report all votes and shall keep a record of the proceedings of the Agency and the journal of proceedings to be kept for such purpose and shall perform all duties incident to this office.

- 2.07** **Treasurer**
The Director of Finance of the City of Chula Vista shall be the Agency Treasurer and shall have the same duties and powers as prescribed in Section 505 of the City Charter.
- 2.08** **Terms of Office**
The terms of office of the Chairman and Members shall correspond with their terms of office as Mayor and Council members, respectively. The terms of office of the ~~Executive Director~~, Secretary and Treasurer shall correspond with the period of time said officers are serving as ~~City Manager~~, City Clerk or other designated person, and Director of Finance, respectively.
- 2.09** **Additional**
The officers of the Agency shall perform such other duties and functions as may from time-to-time be designated by the Agency Members.
- 2.10** **Compensation**
The Chairman and Members shall receive as compensation the sum of \$30.00 for each regular, special, or adjourned meeting attended, except that the Chairman and Members shall not be compensated for attending more than four meetings of the Agency during any calendar month.
- 2.11** **Expenses**
The officers shall be reimbursed for such necessary expenses as they incur in the business of the Agency.

ARTICLE III – AGENCY MEETINGS

- 3.01** **Regular Meetings**
The Agency Members shall hold regular meetings twice each month on ~~the first Tuesday, at 4:00 P.M., and the third Tuesday~~ second and fourth Thursdays, at 6:00 P.M., meeting jointly with the Chula Vista Redevelopment Corporation, or separately, or other business of the Agency permits, in the Council Chambers, and at such other time as the Agency may by minute order from time-to-time determine, and may adjourn or readjourn any regular meeting to date and hour certain which shall be specified in the order of adjournment and when so adjourned each adjourned meeting shall be a regular meeting for all purposes.

If the hour to which a meeting is adjourned is not stated in the order of adjournment, such meeting shall be held at the hour for holding regular meetings. ~~If at any time any regular meeting falls on a holiday, such regular meeting shall be held on the next business day.~~

3.02

Special Meetings

Special meetings may be called at any time by the Chairman, or by three members of the Agency, by written notice delivered personally to each member at least three hours before the time specified for the proposed meeting. A special meeting may also be validly held if all members shall give their consent, in writing, to the hold of such meeting and such consent is on file in the office of the Secretary at the time of hold such meeting. A telegraphic communication from a Member consenting to the holding a meeting shall be considered a consent in writing. At any special meeting only such matters may be acted upon as are referred to in such written notice or consent.

3.03

Place of Meetings

~~Tuesday~~ Thursday regular meetings shall be held in the Council Chambers ~~of the Public Services Building~~, located at 276 Fourth Avenue, Chula Vista, California, unless a different location has been designated in the notice of adjournment from the preceding Agency agenda or in a notice posted at the main entrance to such rooms at least 15 minutes prior to the commencement of the meeting. All meetings shall be open to the public, except in instances of closed sessions where permitted by law. If, by reason of fire, flood, or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such places as is designated by the Chairman, or, if he should fail to act, by three members of the Agency.

ARTICLE IV – PERSONNEL

4.01

City Employees

The City shall provide the Agency with the services of such City officers and employees as are necessary pursuant to the Cooperative Agreement entered into by and between the City and the Agency on February 6, 1974, as said agreement now exists or may from time-to-time be amended.

- 4.02 Agency Employees**
The Agency may, from time-to-time, employ and/or retain by formal agreement, such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by the Community Redevelopment Law, as amended, of the State of California and all other laws of the State applicable thereto, subject only to the budget limitations of the Redevelopment Agency Administrative fund.
- 4.03 Recruitment and Certification**
The Executive Director of the Agency shall, at the direction of the Agency Members, recruit and recommend such persons as he deems competent to fill positions and provide services as required for carrying out the purposes of the Community Redevelopment Law.
- 4.04 Employment – Terms**
Any person(s) recommended for employment by the Executive Director shall not be deemed employed or retained except upon a majority vote of the Members of the whole Agency; they shall serve at the pleasure of the Agency and may be removed by a majority vote of the Agency at any time. Any such removal shall be considered as final and conclusive.
- 4.05 Dismissal**
Reasons for dismissal shall include, but not be limited to: conviction of a felony, or a crime involving moral turpitude; conflicts of interest, misuse of funds, inefficiency, neglect of duties, and/or any violation of the provisions of the "Manual of the Code of Ethics of the City of Chula Vista, California."
- 4.06 Agency Employees Not Part of Civil Service**
Employees of the Agency shall not be eligible for participation in the City Civil Service structure. Periods of employment by the Agency shall not be applicable toward completion of probationary period requirements in the event of future employment by the City of Chula Vista.
- 4.07 Statement of Equal Employment Opportunity**
No person seeking employment with the Agency shall be denied such opportunity upon the basis of his or her race, color, creed, national origin, ancestry, or sex.

ARTICLE V – FISCAL YEAR

5.01

Fiscal Year

The fiscal year of the Agency shall be from July 1 to the following June 30.

ARTICLE VI – AMENDMENTS

6.01

Amendments to Rules and Regulations

These rules and regulations may be amended by a majority vote of the whole Agency, and shall be effective immediately upon the passage and adoption thereof.

RDA RESOLUTION NO. 2006-

RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF CHULA VISTA AMENDING THE
REDEVELOPMENT AGENCY BYLAWS TO CHANGE ITS
REGULAR MEETING DATE AND TIME AND TO MAKE
TECHNICAL, NON-SUBSTANTIVE CLEANUP CHANGES

WHEREAS, the Redevelopment Agency ("Agency") was formed on October 24, 1972, and its Bylaws stated regular meetings would be held twice each month on the first and third Thursday at 6:00 p.m.; and

WHEREAS, in November 1991, by Resolution No. 1211 amending the Agency Bylaws, the monthly first Thursday meeting was changed to 4:00 p.m., the first Tuesday, immediately following the City Council meeting; and

WHEREAS, in 1993, by Resolution No. 1296 amending the Agency Bylaws, the monthly third Thursday meeting was changed to 6:00 p.m., the third Tuesday, immediately following the City Council meeting; and

WHEREAS, the purpose of amending the Agency Bylaws to change the day and time of its regular meeting to correspond with the City Council regular meetings was to increase efficiency and streamline the decision-making process; and

WHEREAS, the Chula Vista Redevelopment Corporation ("CVRC") was incorporated on June 15, 2005, and meets each month on the second and fourth Thursday, at 6:00 p.m., and

WHEREAS, the CVRC reviews all projects within the redevelopment areas and makes recommendations to the Redevelopment Agency; and

WHEREAS, the Agency meeting jointly with the CVRC would:

1. Streamline such decisions as bond refinances, contractual agreements, and development approvals, which may be time sensitive; and
2. Eliminate the need for multiple presentations discussions on the same topics, thereby avoiding unnecessary and often costly delays and redundancies; and
3. Reduce confusion and increase the effectiveness of public participation by holding public hearings for redevelopment projects on one night; and

WHEREAS, additional technical, non-substantive changes are being made for clarity and consistency throughout the bylaws.

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Agency of the City of Chula Vista does hereby amend its Bylaws as follows:

1. Sections 3.01 and 3.03 – to change its meeting schedule to hold regular meetings jointly with or immediately after the Chula Vista Redevelopment Corporation on the second and fourth Thursday, at 6:00 p.m.; and
2. Section 2.08 to make technical, non-substantive changes.

PRESENTED BY

APPROVED AS TO FORM BY

Ann Hix
Acting Director of Community Development

Ann Moore
City Attorney

REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA BYLAWS, RULES AND REGULATIONS

(Revised September 14, 2006)

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3.03

Place of Meetings

Thursday regular meetings shall be held in the Council Chambers, located at 276 Fourth Avenue, Chula Vista, California, unless a different location has been designated in the notice of adjournment from the preceding Agency agenda or in a notice posted at the main entrance to such rooms at least 15 minutes prior to the commencement of the meeting. All meetings shall be open to the public, except in instances of closed sessions where permitted by law. If, by reason of fire, flood, or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such places as is designated by the Chairman, or, if he should fail to act, by three members of the Agency.

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- 4.03 Recruitment and Certification**
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- 4.07 Statement of Equal Employment Opportunity**
No person seeking employment with the Agency shall be denied such opportunity upon the basis of his or her race, color, creed, national origin, ancestry, or sex.

ARTICLE V – FISCAL YEAR

5.01

Fiscal Year

The fiscal year of the Agency shall be from July 1 to the following June 30.

ARTICLE VI – AMENDMENTS

6.01

Amendments to Rules and Regulations

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